



LOUISBURG PLANNING COMMISSION MEETING MINUTES

WEDNESDAY APRIL 27, 2016

The Planning Commission of the City of Louisburg, Kansas met at 7:00 p.m. in the City Hall Council Chambers with Chairperson Andy Sauber presiding.

ATTENDANCE:

Commission Members: Nate Apple, Brandon Fosbinder, Scott Hipp, Thorvald McKiernan and Gus Strughen
City Administrator: Nathan Law
Recording Secretary: Rusty Whitham
Visitors: Scott Allen, T.J. Williams, Jon Clayton, and Bart Bretsch

ITEM 1: ROLL CALL

ITEM 2: ADOPTION OF THE ADGENDA:

A motion was made by Nate Apple to adopt the agenda as submitted. The motion was seconded by Brandon Fosbinder. Motion passed 6-0.

ITEM 3: APPROVAL OF THE MINUTES:

Scott Hipp mentioned that he found an error in the minutes dated March 30, 2016. Hipp stated that he voted no on item #10 Site-Plan Waiver/Revision USD416 Gravel Parking lot at the Practice Soccer Field on Country Side Drive. The minutes indicated that he voted yes. Hipp also stated that the minutes indicated that he voted no on item #11 Site-Plan Waiver/Revision USD416 Rockville Elementary revisions to the original Site-Plan. He actually voted yes to this motion. Staff will ensure that the minutes are amended.

A motion was made by Brandon Fosbinder to approve the amended minutes from the March 30, 2016 meeting. The motion was seconded by Thorvald McKiernan and passed 4-0. Nate Apple and Gus Strughen abstained.

ITEM 4: PUBLIC COMMENTS: Persons who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Speakers will be limited to three (3) minutes. Any presentation is for information purposes only.

None

PUBLIC HEARING BUSINESS ITEMS:

Item 5: 16001-SUP (Special Use Permit) Peoples Services, LLC., wishes to install a Communications Shelter used to store equipment to support a Fiber Optics Network at 706 South Metcalf (Parcel ID: 1093101063004000).

Chairperson Andy Sauber asked Staff if there are any changes or additions to this request that the Planning Commission needs to be aware of. Staff replied no.

Chairperson Andy Sauber opened this topic up for public comment. No public comment was made. Sauber closed the public comment portion of the discussion.

Sauber mentioned that the Site-Plan for the Communications Shelter was approved at the last Planning Commission meeting on March 30, 2016.

Bart Bretsch stated that Peoples Services, LLC has decided not to install a sidewalk along South 8th Street and has opted to pay into the City Sidewalk fund in accordance with Ordinance 874. A total of \$1475.00 was paid into the fund.

Bretsch also mentioned that there is an overhead powerline that will be buried. Chairperson Andy Sauber asked if the curbing to the parking lot located on the West has been worked out with the Lutheran Church (Property Owner). Bretsch stated that Peoples Services, LLC will leave the parking lot in the alleyway and add curbing to redirect rainwater runoff to the south. Peoples Services and the Lutheran Church understand that the parking lot and curbing may be removed from alleyway to facilitate future maintenance of utilities or allow access to the alley if needed. The removal of the parking lot from alleyway shall be at the owner's expense and shall not be allowed to be replaced within the alleyway.

Bretsch stated that they have submitted a Landscaping Plan. Staff mentioned that the Landscaping Plan was included in the Planning Commission Package and asked if anyone has any comments. No comments were made.

Chairperson Andy Sauber solicited additional questions or comments from the Planning Commission regarding this Special Use Permit Request. No additional comment was made.

Brandon Fosbinder made a motion to approve the Special Use Permit Request. Thorvald McKiernan seconded the motion. The motioned passed 6-0.

NON-PUBLIC HEARING BUSINESS ITEMS:

Item 6: 2016001-SP (Site-Plan) 12 East Amity, Timber Creek Restaurant . The Display of portable storage sheds for sale and or lease in the N/E portion of the parking lot. Parcel ID: 1092900000009000

Chairperson Andy Sauber asked if the Planning Commission had any questions or comments for the Applicant. No comments were made.

Scott Allen representing Timbercreek stated that he agrees with all Staff stipulations.

Nate Apple made a motion to accept the Site-Plan with the following Stipulations:

1. The Applicant shall submit a revised Site-Plan if more than 6 sheds are displayed, or the sheds are repositioned on the property. All fees associated with a Site-Plan revision shall be waived at that time.
2. No more than one 4' x 4' sign shall be used to advertise the sale of sheds. The sign shall be attached to one of the display buildings.
3. Sheds sold to customers residing within City limits shall meet City Zoning Regulations. Staff shall provide Applicant with shed requirements. See attached accessory building requirements.
4. Applicant shall pay the \$300 Site-Plan fee prior to approval.
5. Additional lighting shall be kept to a minimum. Lighting shall not be directed towards the sky or illuminate neighboring properties. Also, lighting shall not distract or impede traffic.

The motion was seconded by Brandon Fosbinder and passed 6-0.

Note: Scott Allen paid the \$300 Site-Plan fee after the meeting.

Item 7: Discussion with Joe Willingham concerning the replacement of wooden privacy fence at the “Wildcat Storage”. The storage facility is located at 1502 North Metcalf. Willingham would also like to discuss the retaining pond located on the property (Parcel ID: 1093001001034000).

Joe Willingham was not in attendance at this meeting. The Planning Commission decided not to table this item and to discuss it without the Applicant present.

Chairperson Andy Sauber mentioned that he noticed a portion of the fence on the eastside of the property was down this morning. Sauber didn't know if the wind blew it down. Sauber explained that Joe Willingham (Property Owner) wishes to replace the wooden fence with a chain-link link fence with some kind of woven material. Sauber stated that this type of fencing has been previously discussed by the Planning Commission and historically has not been approved. However, chain-link fencing with mesh has been approved in the past. Reference the Wildcat Veterinary Clinic Site-Plan discussion (15002-SP) dated August 26, 2015.

Nate Apple suggested that the previous owner of the Wildcat Storage Unit property constructed the wooden fence years ago. It was noted that little to no maintenance has been done since the fence was installed. Regular maintenance may have extended the life of the existing wooden fence.

Some Planning Commissioners had concerns with placing a chain-link fence adjacent to residential properties. It was also suggested that if the owner wishes to modify the water detention pond a revised Storm Water Study shall be required. It was suggested that the grading of the property was not done properly. The grading does not direct water to flow directly into the rainwater retaining pond.

The Planning Commission recommends that Staff present the concerns that have been brought up at tonight's meeting to the property owner. The owner may readdress his request in person to the Planning Commission at a later date.

Item 8: Discussion with Catherine Blair concerning open storage of trailers and RVs at her home located at 1406 North Broadway.

Chairperson Andy Sauber explained that Staff has received a complaint concerning Catherine Blair's property 1406 North Broadway. She is storing multiple RVs and Trailers on her property. The property is zoned "A-L" Agricultural and outdoor storage of RVs and trailers are not authorized.

Catherine Blair stated that she is providing a service for people who don't have a place to store their items.

Staff was asked if we can issue a Special Use Permit to allow outdoor storage on her property. Staff replied no because commercial outdoor storage is not allowed in the "A-L" Zoning District. Rezoning the property was also discussed. However, restrictions will also be in place if the property is to be rezoned.

Catherin Blair suggested relocating the RVs and Trailers to the Bus Barn Property across from the Middle School on East Amity/K68 (Parcel ID: 1092900000011000). Ms. Blair owns this property as well. Chairperson Andy Sauber explained that the Bus Barn property operates under City Ordinance #761 that was established on February 5, 2001.

"An Ordinance granting approval of a Special Use Permit for the Operation of an Automotive Parking lot and Garage, including a School Bus Facility for the parking and maintenance of school buses on certain lands located in the City of Louisburg, Kansas"

Andy Sauber suggested that if the RVs and Trailers are moved to the Bus Barn area there should be some kind of screening needed to conceal the outdoor storage.

Nate Apple mentioned that construction trailers and recycle bins have been stored on the property in the past without any issues. Catherin Blair stated the construction equipment currently on the property is owned by the company installing fiber optics throughout the city. Ms. Blair asked where are they supposed to store that equipment while work is being done. Andy Sauber mentioned that there is a boat and utility trailers currently stored on the property.

Chairperson Andy Sauber stated that only RVs and Trailers owned Catherin Blair are allowed to be stored at 1406 North Broadway. All other cannot. Ms. Blair confirmed that she does charge a small fee to allow people to leave items on her property. It was confirmed that outdoor storage is not allowed on properties located in the "A-L" Zoning District.

It was suggested that Catherin Blair move all RVs and Trailers that are not owned by her from 1406 North Broadway to the Bus Barn property once a Site-Plan is approved by the Planning Commission and concealment fence is installed.

The Planning Commission directed Staff to assist Catherin Blair with a Site-Plan and Possible revised Special Use Permit for the Bus Barn property.

Item 9: Discussion Concerning Building Design Standards for future construction on property located in the “A-L” Agricultural Zoning District.

Chairperson Andy Sauber explained that our Zoning Regulations don’t distinguish the difference between Agricultural Zoning Districts and Residential Zoning Districts when it comes to Design Standards. He went on by stating that we have T.J. Williams wishing to build a cattle barn on his property and Jon Clayton from the Faith Chapel is wanting to construct an accessory building on their property. Both properties are located in “A-L” Agricultural Zoning District. Our Zoning Regulations require both property owners to meeting the same standards as buildings constructed in Residential Zoning Districts.

Both property owners feel that they are hindered by the Design Standard requirements outlined in Section 618.f of the Zoning Regulations. In particular the requirement for Exterior Building Material Application has been a concern.

“All buildings subject to provisions of this regulation, with the exception of industrial use buildings, constructed in isolated areas zoned as "I-1" Light Industrial District or "I-2" Heavy Industrial District shall be governed by the provisions of this paragraph.

All exterior walls of the structure shall be constructed of one or more combinations of the approved materials listed in paragraph E, for a minimum of seventy-five (75) percent of the total exterior building surface.

The front entrance wall of the building, and any side of the building facing a street or public right-of-way, shall consist of one or more combinations of the approved materials listed in paragraph E, for one hundred (100) percent of that exterior wall or wall’s surface.

Any side of a building adjacent to a residential district shall consist of one or more combinations of the approved materials listed in paragraph E, for a minimum of fifty (50) percent of that exterior wall or wall’s surface.

Solid metal doors, sliding and overhead garage entrance doors will not be counted in computations as approved materials when calculating the percentages required, but will be allowed as required for access into the building.”

It was noted that T.J. Williams will be building his cattle barn on the outer limits of the City with no residential structures adjacent to his property. His cattle building will be used for agricultural purposes. It was also mentioned that the church will be constructing their accessory building in the middle of the City surrounded by residential structures. The Churches’ accessory building will be used for storage and not for agricultural purposes.

After some discussion the Planning Commission directed Staff to draft a proposed TEXT amendment exempting new structures built within the “A-L” Zoning District from requiring Hard Surfaced Driveways and Exterior Building Material Application Requirements outlined in Section 618.f of the Zoning Regulations. Such exemption shall be for new construction on properties with at least 20 or more continuous acres that are zoned within the Agricultural Zoning District. This exemption shall be for all construction used directly for agricultural purposes only.

Nathan Law cautioned the Planning Commission by stating that they should consider all current and future requests when considering this TEXT amendment.

No formal action was taken by the Planning Commission at this time.

Item 10: Discussion concerning the revision of the Comprehensive Plan. This plan was last updated in 1996.

Nathan Law explained that Comprehensive Plan has been amended three times since it was drafted in 1996. Law then mentioned that the Planning Commission overseeing body that is responsible the complete review and rewrite of the Comprehensive Plan. When the City contracts with a company to do the rewrite of our plan they may be coming to the Planning Commission for direction on a monthly basis. This review and or rewrite may take up to 9 plus months.

Law went on by stating that he hopes that the Planning Commission helps guide the scope of you want needs to be in the Comprehensive Plan. The Planning Commission may incorporate additional plans if needed. Law would like to see some kind of joint meeting with members of the Planning Commission and City Council to determine what should be included in a revised Comprehensive Plan. A scope of services needs to be determined before a Request For Bid (RFB) can be created. Also a budget needs to be determined for this Comprehensive Plan review.

Things that can be added to this plan are:

- Logo
- Marketing Plan
- Trails Plan
- Sidewalk Plan
- Downtown Development

Law added that the Compressive Plan tells Staff what direction the City will go in the future. All agreed that they will be happy to meet with the City Council to do whatever needs to be done with the Comprehensive Plan.

No formal action was taken by the Planning Commission at this time.

Item 11: OLD BUSINESS: Any old business the Commission may wish to discuss

None

Item 12: NEW BUSINESS:

None

Item 13: REPORTS:

None

ITEM 14: ADJOURNMENT:

A motion was made by Gus Strughen to adjourn the meeting. Second was made by Thorvald McKiernan. The motion passed 6-0. Meeting adjourned at 8:18 p.m.

Submitted by Rusty Whitham